

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:22-CV-21130-BLOOM/OTAZO-REYES

JOSE TELLERIA,

Plaintiff,

vs.

AZTLAN FOODS, CORP. AND
EVI, INC.,

Defendants.

_____/

PLAINTIFF'S MOTION FOR WRIT OF EXECUTION

Plaintiff Jose Telleria, through his undersigned counsel and pursuant to Fed. R. Civ. P. 64 requests that the Court instruct the Clerk of Courts to issue a Writ of Execution in the form appended hereto based upon the following good cause:

1. On November 29, 2022, this Court entered its Order Approving Settlement and Dismissing Case with Prejudice, reserving jurisdiction to award Plaintiff his attorneys' fees and costs. [ECF No. 62.]

2. Then, on April 4, 2022, this Court entered its Order awarding Plaintiff \$17,522.50 in attorney fees and \$994.57 costs for a total of **\$18,517.07**. [ECF No. 66.]. This Order constitutes a money judgment pursuant to *National Labor Relations Board v. Tropical Wellness Center, LLC*, 2019 WL 2254921, at *4 (S.D. Fla. Mar. 11, 2019), *report and recommendation adopted*, 2019 WL 2255566 (S.D. Fla. Mar. 29, 2019).

3. The sum of **\$18,517.07** remains due, payable, and outstanding.

4. Plaintiff seeks to enforce the money judgment(s) against Defendants, Aztlan Foods, Corp. and EVI, Inc., pursuant Fed. R. Civ. P. 69(a) through the issuance of a Writ of Execution.

5. Local Rule 7.1 specifically exempts post-judgment collection/execution motions from the conferral requirement, and so none has been made herein.

WHEREFORE, Plaintiff, Jose Telleria, requests that the Court direct the Clerk of Courts to issue a Writ of Execution in the form appended hereto.

Dated this 13th day of April 2023.

s/Brian H. Pollock, Esq.
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